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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,434	08/22/2001	Eduardo Enrique Eckmann	29061	8175

7590 05/18/2006

Eduardo E. Eckmann  
9652 Whitewood Trail  
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EXAMINER
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VAN BRAMER, JOHN W

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/934,434

Applicant(s)

ECKMANN, EDUARDO ENRIQUE

Examiner

John Van Bramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 19 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 19 depends from Claim 17 and recites "Displaying advertiser's web page". However, Claim 17 has already recited this limitation.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Eggleston et al. (U.S. Patent Number: 6,061,660)

Claim 1. Eggleston discloses a process for increasing the attention of Internet users to the ads displayed on web pages, comprising the step of: Randomly displaying on a web page a modified ad and destination URL, giving the user a chance to win a prize. (Fig 20; and Col 13, lines 43 – 51)

Claim 2. Eggleston discloses a process as set forth in claim 1, including the step of: Verifying user and/or session eligibility to the program. (Fig 15; and Col 25, lines 15 – 49)

Claim 3. Eggleston discloses a process as set forth in claim 1, including the step of: Inserting a sweepstake ad, jackpot and destination URL. (Col 33, line 53 through Col 34, line 19)

Claim 4. Eggleston discloses a process as set forth in claim 2, including the step of: Inserting a sweepstake ad, jackpot and destination URL. (Col 33, line 53 through Col 34, line 19)

Claim 5. Eggleston discloses a process for processing or handling the client request generated by a user click. The process comprises the steps of:

- a. Validating the request. (Col 13, lines 47 – 51)
- b. Notifying the user. (Col 13, lines 51 – 54)

Claim 6. Eggleston discloses a process as set forth in claim 5, including the step of: Requesting and handling user participation. (Col 13, lines 43 – 54)

Claim 7. Eggleston discloses a process as set forth in claim 5, including the step of: Executing sweepstake. (Col 13, lines 43 – 54)

Claim 8. Eggleston discloses a process as set forth in claim 5, including the step of: Registering entry into sweepstake. (Col 13, lines 7 – 28; and Col 25, lines 37 – 49)

Claim 9. Eggleston discloses a process as set forth in claim 5, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 10. Eggleston discloses a process as set forth in claim 6, including the step of: Executing sweepstake. (Col 13, lines 43 – 54)

Claim 11. Eggleston discloses a process as set forth in claim 6, including the step of: Registering entry into sweepstake. (Col 13, lines 7 – 28; and Col 25, lines 37 – 49)

Claim 12. Eggleston discloses a process as set forth in claim 6, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 13. Eggleston discloses a process as set forth in claim 7, including the step of: Registering entry into sweepstake. (Col 13, lines 7 – 28; and Col 25, lines 37 – 49)

Claim 14. Eggleston discloses a process as set forth in claim 7, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 15. Eggleston discloses a process as set forth in claim 8, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 16. Eggleston discloses a process as set forth in claim 10, including the step of: Registering entry into sweepstake. (Col 13, lines 7 – 28; and Col 25, lines 37 – 49)

Claim 17. Eggleston discloses a process as set forth in claim 10, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 18. Eggleston discloses a process as set forth in claim 11, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 19. Eggleston discloses a process as set forth in claim 17, including the

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step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

Claim 20. Eggleston discloses a process as set forth in claim 16, including the step of: Displaying advertiser's web page. (Col 25, line 66 through Col 26, line 22)

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kramer et al. (U.S. Patent Number: 6,327,574) discloses the creation and user of modular advertisements.

Scroggie et al. (U.S. Patent Number: 6,014,634) discloses the creation and display of advertisements in real time based upon targeted customer information.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 9am - 5pm Monday through Friday.

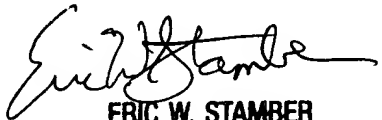
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*gmb*  
jvb

  
ERIC W. STAMBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600